

**Planning Department**

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**TOWN OF ACTON**

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**Notice of Public Hearing on Proposed Amendments to the  
Subdivision Rules and Regulations**

The Acton Planning Board will hold a public hearing on 8/22/2006 at 8:30 PM at the Acton Memorial Library, 486 Main St., on the proposed amendments to the Subdivision Rules and Regulations. Copies of the proposed amendments are available in the Planning Department and Town Clerk's office, Town Hall, 472 Main Street, Acton.

**Attention Reader:**

Attached are the pages of the Acton Subdivision Rules and Regulations (Rules) containing proposed amendments. Recommended additions to the text are underlined. Recommended deletions to the text are struck-through. If there is a footnote at the end of the proposed amendment, refer to the last two pages of this document for a summary describing the amendment.

MUNICIPAL SERVICES therein, unless and until a definitive plan of such SUBDIVISION has been submitted to and approved by the BOARD as hereinafter provided.

## **2.4 COMPLIANCE of LOTS with ZONING BYLAW**

All proposed LOTS within a SUBDIVISION shall comply with the Zoning Bylaw of the Town of Acton, Massachusetts.

## **2.5 REFERENCES**

For matters not covered by these RULES, reference is made to the SUBDIVISION CONTROL LAW, MGL Ch. 41, S.81-K through 81-GG; the Wetlands Protection Act, MGL Ch. 131, S.40; and the State Environmental Code, Title V (310 CMR 15.00).

Design and construction of STREETS, WAYS, sidewalks, drainage structures, sewage disposal structures and other appurtenant structures, shall comply with the standards set forth in these RULES; the "Design and Construction Standards", Town of Acton, January 1975 as amended (see Appendix); "~~residential~~ Residential Street Design and Traffic Control", Institute of Transportation Engineers, 1989 or latest edition; "The Subdivision and Site Plan Handbook" by Listokin & Walker, Rutgers University, 1989 or latest edition; "A Policy on Geometric Design of Rural Highways and Streets" published by the American Association of State Highway and Transportation Officials, ~~1984-2001~~ or latest edition; the "Highway Design Manual", published by the Commonwealth of Massachusetts ~~Department of Public Works~~, latest edition; the "Standard Specification for Highways and Bridges", published by the Commonwealth of Massachusetts ~~Department of Public Works~~, ~~1977-1995~~ or latest edition; the "~~Massachusetts Department of Public Works Construction Standards~~ Construction and Traffic Standard Details", published by the Commonwealth of Massachusetts, ~~1977 or latest edition and supplements~~; the "Manual on Uniform Traffic Control Devices" published by the Federal Highway Administration, latest edition; the "Seeley's Data Book for Civil Engineers", Volume I - Design, published by John Wiley & Sons, Inc., New York, latest edition; the "Guidelines for Soil and Water Conservation in Urbanizing Areas of Massachusetts", published by the United States Department of Agriculture, Soil Conservation Service, 1977 or latest edition. "Residential Streets", published by the American Society of Civil Engineers, the National Association of Home Builders and the Urban Land Institute, 1990 or latest edition. The above reference manuals may be referred to in various sections of these RULES.

- k) PARTIES IN INTEREST from latest available Assessor's records unless the applicant has knowledge of any changes subsequent to the latest available Assessor's records,
- l) distance to the nearest road or to other permanent monument,
- m) location of existing buildings with front, rear and side yard setback dimensions,
- n) locations of cart paths, EASEMENTS, right-of-ways, wetlands, water courses and other significant natural features,
- o) If on the plan an area is left for the future possible construction of a road to back or adjacent land, a minimum 10-foot wide slope EASEMENT shall be shown on all LOTS abutting such road area to enable proper slope construction if and when the road is built. The slope EASEMENTS shall be conveyed with the EASEMENT for future roadway and utility construction of the road area,
- p) Signature and seal of registered land surveyor who prepared the plan,
- q) if the ANR plan is prepared using a computer aided drafting program, an electronic copy of the plan (on a medium and in a format directed by the Town Planner) shall be filed with the Acton Planning Department prior to endorsement.

3.1.3 File, by delivery or by registered or certified mail, a written notice with the Town Clerk which contains certification of the date of submission to the Planning BOARD, accompanied by a copy of the Application for Endorsement of Plan Believed Not to Require Approval. If notice is given by delivery, the Town Clerk, if requested, shall give written receipt therefor.

### **3.2 DETERMINATION THAT APPROVAL IS NOT REQUIRED**

If the BOARD determines that the plan does not require approval, it shall, without a public hearing and within twenty-one (21) days of submission, endorse on the plan the words, "Planning Board Approval Under the Subdivision Control Law Not Required." This endorsement does not imply that the plan which has been submitted complies with the Zoning Bylaw of the Town of Acton. The signed original of said plan shall be returned to the applicant ~~and the BOARD shall notify the Town Clerk, in writing, of its action. The endorsement may include a statement of the reason why approval is not required.~~

### **3.3 DETERMINATION THAT APPROVAL IS REQUIRED**

If the BOARD determines that the plan does require approval under the SUBDIVISION CONTROL LAW, it shall, within twenty-one (21) days of submission of said plan, give written notice of its determination to the Town Clerk and the applicant.

Planning Department concerning the scope and cost of such studies during the review of the preliminary plan. Failure to do so could result in serious delays in the processing of the application. The amount of the fee deposit will reflect the anticipated consultant fee(s) plus 10%. Note that some projects may require additional fees to cover further study if significant impacts or problems are found in the initial review. In accordance with MGL Ch. 44, S. 53G, any amount of such deposits remaining after endorsement of the definitive plan by the BOARD, plus any remaining accrued interest, will be repaid to the applicant or the applicant's successor in interest.

- 5.2.3.2 Appeal From the Selection of the Consultants - The applicant may appeal from the selection of an outside review consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications of an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field. The applicant must specify the specific grounds which the applicant claims constitute a conflict of interest or a failure to meet minimum professional requirements.
- 5.2.4 ~~Ten (10)~~Twelve (12) contact prints of the definitive plan prepared by a registered engineer and land surveyor and drawn clearly and legibly in dark lines on white background in the form and with the contents as stated below, and ~~eleven (11)~~twelve (12) reduced copies thereof on 11"x17" or 8.5"x11" sheets, and twelve (12) copies of the outline of the subdivision lots superimposed on a recent aerial photograph of the site and surrounding area on 11"x17" or 8.5"x11" sheets.
- 5.2.5 A completed Designer's Certificate (see Appendix - Form DC)
- 5.2.6 A complete PARTIES IN INTEREST List certified by the Board of Assessors or its authorized representative ~~(see Appendix - Form CLA).~~
- 5.2.76 ~~A~~If the STREET is proposed to become a public WAY, a statement from the developer that he will retain the fee in the STREETS shown on the plan and upon construction of the STREETS and installation of services will, at the request of the Town of Acton, grant to the Town the fee (or an EASEMENT for all purposes for which STREETS are used) in such STREETS; and will, at the request of the Town of Acton, grant to it any drainage or other EASEMENTS shown on the plan. In order to retain the fee in the STREET, the developer must clearly define LOT lines when selling individual LOTS, to make clear that the LOT stops at the STREET layout. Otherwise, the owners of individual LOT will, by convention, own the STREET to the centerline. If this occurs, the STREET cannot be accepted by the Town, since any conveyances of the STREET from the developer to the Town are meaningless.
- ~~5.2.8 A draft of a legal advertisement (see Appendix - Form LN), describing the land.<sup>1</sup>~~
- 5.2.97 Twenty-one (21) copies of a written list of any requested waivers with reasons why those waivers would permit a superior design, that would be in the public interest and not inconsistent with the purpose and intent of the SUBDIVISION CONTROL LAW.
- 5.2.108A letter authorizing Town representatives to enter on the SUBDIVISION to complete the STREETS and services if the developer does not complete them according to his obligations.

5.2.119 A letter documenting authorizing vote if the developer is acting in the name of a trust, corporation or company.

5.2.120 A copy of the deed.

5.2.131 A list of mortgage holders which shall be kept current during the period of SUBDIVISION development.

5.2.142 A draft RESTRICTIVE COVENANT if changes are proposed from the standard form shown in Appendix - Form RC, with reasons for the changes.

### 5.3 CONTENTS of DEFINITIVE PLAN

The definitive plan shall be prepared by a registered engineer and land surveyor, clearly and legibly drawn in dark lines on white background. The plan shall be at a scale of 1"=40' or such other scale as the BOARD may require to show details clearly and adequately. It must be plainly marked "definitive plan". Sheet size shall be 24" x 36". If more than one sheet is needed, the sheets shall be accompanied by a single keyed sheet drawn to a 1"=200' scale showing the entire SUBDIVISION. The definitive plan shall contain the following information:

5.3.1 SUBDIVISION name, STREET names, boundaries, north point, date, scale and legend.

5.3.2 Names and addresses of the owner of record, the subdivider, the engineer and land surveyor, the book and page number of the recording of deed or the Land Court certificate.

5.3.3 Location of abutting property lines with ownership indicated.

5.3.4 Existing and proposed lines of sidewalks, STREETS, WAYS, LOTS, EASEMENTS, public and common areas, flood plain boundaries, zoning and zone lines including all overlay districts within and abutting the SUBDIVISION. If the construction of the proposed sidewalks, STREETS, WAYS, etc. would involve the removal of a public shade tree or a scenic road stone wall, show their location, type, and size of the public shade tree on the definitive plan. In the case of a shade tree, contact the Tree Warden. A scenic road hearing may be required.<sup>2</sup>

5.3.5 Sufficient data to easily determine the location, direction, width and length of every STREET, EASEMENT, walk and WAY line, LOT line, and boundary line and to reproduce these lines on the ground. All bearings shall be true, magnetic or grid, and the needle used on the plan shall clearly indicate this.

5.3.6 Location of all permanent monuments, properly identified as to whether existing or proposed, including natural features and surfaces, and wetlands as defined by the Wetlands Protection Act (MGL Ch. 131, S.40) and the Acton Wetlands Protection Bylaw.

5.3.7 A locus map (or location map) at a scale of 1"=1200' showing the relationship of the proposed SUBDIVISION to the community and its facilities for a 1/2 mile radius around the proposed SUBDIVISION and a locus plan at a scale of 1" = 200', or at a scale of 1" = 100' depending on which sheet of the Town Atlas the land is located (consult Acton Planning Department).

- 5.3.8 Location, names and present width of STREETS or WAYS and sidewalks bounding, approaching or within reasonable proximity of the SUBDIVISION, showing both roadway widths and right-of-way widths.
- 5.3.9 House numbers on each LOT as determined by the Town Engineer, clearly distinguishable from the LOT numbers.
- 5.3.10 Site features such as, but not limited to, waterways, swamps, drainage courses, stone walls, fences, buildings, historic sites, ridges, outcroppings, and water bodies.
- 5.3.11 STREET trees and other planting as required by the RULES prepared by and displaying the seal of a registered landscape architect.
- 5.3.12 A note stating that all supplementary data submitted under the RULES are an integral part of the definitive plan and that non-compliance with the plan profiles, utilities, layouts and RESTRICTIVE COVENANTS will void the approval status; unless, a waiver is specifically approved by the BOARD in writing.
- 5.3.13 Suitable space to inscribe the signatures of the members of the BOARD (or officially authorized persons) and to record or make reference to the decision or Certificate of Action of the BOARD, any RESTRICTIVE COVENANTS given under MGL Chapter 41, Section 81-U, or any amendments thereto, and any conditions required by the Board of Health.
- 5.3.14 A clear indication, by proper symbols, markings, dates or other notes, after a thorough search has been made, of such points or boundary markers as were found in the traverses and/or perimeter surveys.
- 5.3.15 Existing and proposed topography for the entire SUBDIVISION at a suitable contour interval as required by the BOARD. (The normal requirement for a suitable contour interval is 2 feet.)
- 5.3.16 Existing profiles on the exterior lines and centerlines (to be determined by field survey) and proposed STREET profile at 50 foot stations (25 foot stations for vertical curves) with centerline elevations tied to a station base line, at a horizontal scale of 1"=40' and at a vertical scale of 1"=4', or such other scales required by the BOARD. All elevations shall refer to a bench mark (or bench marks) using Massachusetts Coast and Geodetic Survey Vertical Control for base data and the location and elevation of the bench mark, plus at least one more bench mark.
- 5.3.17 All elevations shall refer to a bench mark (or bench marks) using the National Geodetic Vertical Datum (NGVD) of 1929 for base data. The location and elevation of the bench mark shall be shown on the plan, plus the location and elevation of at least one more bench mark.
- 5.3.18 Proposed layout of storm drainage system, water supply system, fire hydrants, fire call box system, sewer mains and all other utilities. These layouts should be checked with the appropriate boards and agencies. Their final approval should be in writing and on file with the BOARD prior to approval of the definitive plan. Fire call boxes should be shown, if any exist, in or immediately adjacent to the proposed SUBDIVISION as well as the required additions to the fire call box system within the SUBDIVISION. The locations, inverts, slopes, grades, stations, sizes and all other dimensions including

type of pipe and materials to be used, of all utilities and appurtenances shall be clearly shown.

- 5.3.1819 Storm drainage runoff calculations used for storm water drainage system design shall be prepared by and display the seal of a registered professional engineer. These calculations should be based on the rational formula (as described in Seelye's Design Data Book for Civil Engineers, Page 18-02, Revised 3rd edition), based on a 10 year expectancy period, to determine necessary pipe sizes which can be no less than 12" in diameter. The calculations must contain a written summary explaining the rationale of the design so that a lay person can understand the basic design approach and its validity to the site in question. Furthermore, the calculations should be fully documented including copies of charts or other reference sources to make review easier. The use of computer generated reports is acceptable, however, the source of the software should be identified. These calculations shall be used to determine all drainage structure and pipe sizes.
- 5.3.1920 Detail of typical cross-section of roadway showing all features; detail of a gas trap/oil separator catchbasin, manhole, headwall, sidewalk, subdrain, and all other appurtenances, structures and utilities.
- 5.3.2021 If surface water drains onto adjacent STREETS, or onto adjacent properties not owned by the applicant, in such a manner as to create drainage problems, suitable provisions for handling this drainage shall be submitted to the BOARD.
- 5.3.2122 Indication of all EASEMENTS, covenants or restrictions applying to the land and their purpose, whether or not within the SUBDIVISION, including any decision, appeal or variance issued by the Board of Appeals or any other board or authority having jurisdiction and applicable to the SUBDIVISION land or any buildings thereon.
- 5.3.2223 An erosion and sedimentation control plan following the "Guidelines for Soil and Water Conservation in Urbanizing Areas of Massachusetts", USDA-SCS, and "Erosion & Sediment Control in Site Development", USDA-SCS, latest edition.
- 5.3.2324 Location of all proposed septic disposal areas with a minimum of one percolation test and two deep test holes per leach area.
- 5.3.2425 ~~A log of the deep test holes and percolation tests for the entire site as witnessed by a representative of the Board of Health.~~ The locations, logs, and results of deep observation hole tests and percolation tests for groundwater recharge facilities consistent with Department of Environmental Protection Stormwater Management Policy.<sup>3</sup>
- 5.3.2526 Location of all existing and proposed above ground and underground structures, including but not limited to, buildings, foundations, wells, septic systems, and underground storage tanks, within the SUBDIVISION and within one hundred ~~and fifty~~ (150) feet of the perimeter of the SUBDIVISION.
- 5.3.2627 Location of all proposed stump dumps and other locations where construction debris is to be buried.
- 5.3.2728 If the proposed use of a LOT and/or the location of a proposed use is unknown at the time of submission of the definitive plan, the applicant shall show on the plan sufficient information with respect to, existing and proposed, underground structures and septic

disposal areas, to enable the Board of Health to evaluate whether a septic disposal system can be located on the LOT to serve any permitted use of the LOT. Where a LOT(S) is to be served by public sewers or by a septic treatment plant, the application shall contain a certificate from the Board of Health stating that such public sewers or septic treatment plants are adequate to serve any permitted use of the LOT(S).

#### **5.4 NOTICE to TOWN CLERK**

Every person submitting a definitive plan of land to the BOARD for its approval shall, pursuant to MGL, Ch. 41, S.81-T, file written notice that he has submitted such a plan with the Town Clerk, by delivery or by registered mail, postage prepaid. If the notice is given by delivery the clerk shall, if requested, give a written receipt to the person who delivered such notice. The date of filing with the BOARD shall be certified on such notice by the BOARD or its authorized representative.

#### **5.5 NOTICE to BOARD of HEALTH and REVIEW by BOARD of HEALTH**

When a definitive plan of a SUBDIVISION is submitted to the Planning BOARD, as provided in MGL Chapter 41, S.81-O, a copy thereof shall also be filed with the Board of Health. The Board of Health, or its authorized representative, shall within forty-five days after the plan is so filed, report to the BOARD in writing, approval or disapproval of said plan, and in the event of disapproval, shall make specific findings as to which, if any, areas shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefor in such report, and where possible, shall make recommendations for the adjustment thereof.

Failure of the Board of Health to report shall be deemed approval by the Board of Health. If the report of the Board of Health so requires, the approval of the BOARD shall be on condition that no building or structure shall be built or placed upon the areas designated without consent by such Board of Health or authorized representative. In the event that approval by the Board of Health is by failure to make a report, the BOARD shall note on the plan that health approval is by failure to report.

#### **5.6 SUBMISSION of ADDITIONAL INFORMATION**

All additional information submitted after the initial application shall be submitted to the BOARD at the public hearing.

#### **5.7 PUBLIC HEARING NOTICE**

Before approval, modification and approval, or disapproval of the definitive plan the BOARD will hold a public hearing. Pursuant to M.G.L. ch. 41, s. 81T, the BOARD will give notice of the time and place of the public hearing and subject matter, sufficient for identification, as follows:

- 5.7.1 By publication of the notice in a newspaper of general circulation in the Town of Acton once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the public hearing. The newspaper will send the bill for the advertisement directly to the Applicant and the Applicant shall pay the bill directly to the newspaper.
- 5.7.2 By posting the notice in a conspicuous place in the Acton Town Hall for a period of not less than fourteen days before the day of the public hearing.
- 5.7.3 By mailing the notice certified mail, return receipt, postage prepaid, to all PARTIES IN INTEREST. At least 21 days before the day of the public hearing, the APPLICANT shall submit to the Planning Department the certified mail letters containing the notice and



addressed to each PARTY IN INTEREST. On the letters, the sender shall be identified as the "Town of Acton Planning Board, 472 Main Street, Acton, MA 01720". The letters shall be sealed and ready for mailing. The letters shall be accompanied by one open copy of the notice for the BOARD record, payment to the Town of Acton for the cost of the certified mailings, and a duplicate set of empty, open envelopes addressed to each PARTY IN INTEREST, sender as above, for the mailing of the decision notice.

## **5.8 PLANNING BOARD ACTION on DEFINITIVE PLAN**

The action of the BOARD on a definitive plan shall be by vote of a simple majority of the BOARD within 90 days of the date of submission, if the application for approval of the definitive plan was preceded by a preliminary plan in accordance with these RULES. If no such preliminary plan was filed, the BOARD shall act within 135 days from date of submission.

5.8.1 The action shall be accompanied by a decision that shall serve as the "Certificate of Action", and copies of said decision shall be certified and filed with the Town Clerk and sent by delivery or by registered mail to the applicant. If the BOARD modifies or disapproves such plan, it shall state in its decision the reasons for its action.

5.8.2 Final approval, if granted, shall be endorsed on the original drawing of the definitive plan as amended by the BOARD's action by the signatures of a majority of the BOARD (or by the signature of the person officially authorized by the BOARD), but not until the statutory twenty (20) day appeal period has elapsed following the filing of the certificate of the action with the Town Clerk and said Clerk has notified the BOARD that no appeal has been filed.

5.8.2.1 ~~If the definitive plan is prepared using a computer aided drafting program, Submission of plan for endorsement shall include an electronic copy of the final definitive plan (on a medium and in a format as directed by the Town Planner) shall be filed with the Acton Planning Department at the time of endorsement in an AutoCAD Drawing Format (.dwg).~~

5.8.3 The BOARD shall include within the Decision, as a condition of its approval, that the BOARD'S approval of the Definitive Plan shall expire within a specified time period from the date of approval unless a final Definitive Plan, in accordance with the Decision, is submitted and endorsed by the BOARD.

5.8.3.1 Any request for an extension of the specified time limitation set forth in the Decision shall be made in writing to the BOARD at least thirty days prior to the expiration date. The BOARD reserves its rights to grant or to deny such extension if good cause for such extension is not shown.

6.4.1 Such statement shall be accompanied by the following:

6.4.1.1 Two copies plus one original mylar of an as-built plan of the STREETS and WAYS as required in Section 10.9.1.

6.4.1.2 A written certification by a Registered Land Surveyor indicating that such as-built plan accurately reflects the conditions in the completed SUBDIVISION in compliance with the approved Definitive Plan.

6.4.1.3 A written certification by a registered professional engineer that the STREETS, drainage and utilities conform to the BOARD'S requirements in accordance with the approved Definitive Plan.

6.4.1.4 A written confirmation from the Acton Engineering Department that the binder course was exposed to one winter season (Nov. 15 - April 30) prior to the application of the wearing course, and that the completed STREET and drainage and utility improvements have been exposed to the natural elements and weather conditions during one additional winter season (Nov. 15 - April 30) without substantial damage, or that damage, if incurred, has been repaired to the satisfaction of the Acton Engineering Department.

6.4.1.5 A written ~~confirmation certification from the Acton Tree Warden~~by a registered landscape architect that installation of STREET trees and other plantings required by these RULES and the approved SUBDIVISION plan have been completed satisfactorily, that such plantings have been exposed to one winter season (Nov. 15 - April 30) and that damaged plantings, if incurred, have been replaced to the satisfaction of the Acton Tree Warden.<sup>4</sup>

6.4.1.6 ~~the~~The address of the applicant.

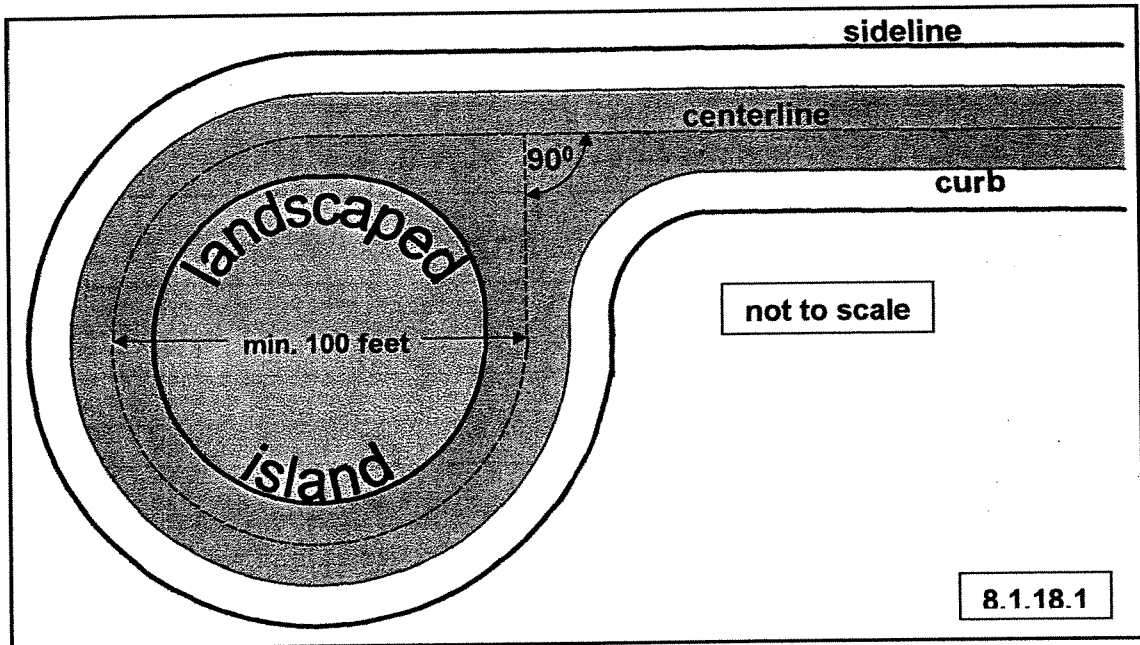
6.4.2 If the BOARD determines that said construction or installation has not been completed in accordance with the approved SUBDIVISION plan, it shall specify in a notice sent to the Town Clerk and, by registered mail, to the applicant, the details wherein said construction or installation fails to comply with the approved SUBDIVISION plan. Upon failure to do so within forty-five days after the receipt by said clerk of the statement requesting release of the Town's interests, all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such RESTRICTIVE COVENANT shall become void. In the event that said forty-five day period expires without such specification by the BOARD, or without the release and return of the bond or return of the deposit or release of the RESTRICTIVE COVENANT as aforesaid, the Town Clerk shall, upon request, issue a certificate to such effect, duly acknowledged, which may be recorded.

6.4.3 However, even though all improvements covered by a performance guarantee may have been completed, the BOARD may delay the release of the performance guarantee if completion of construction on any remaining undeveloped or partially developed LOT or LOTS poses a substantial risk of damage to the SUBDIVISION improvements.

- 8.1.13 ~~Superelevation of curves, s~~Sight distances, tangents between reverse curves, ROW widths, grades, transition areas, crest vertical curves, sag vertical curves, stopping sight distances and correction for stopping distances will be determined by using the following: Table I "Horizontal Design Standards", Table II "Vertical Design Standards" and Table III "Stopping Sight Distances".<sup>5</sup>
- 8.1.14 Grades of STREETS shall be as shown on Table II "Vertical Design Standards".
- 8.1.15 STREET right-of-way widths shall be as shown on Table I "Horizontal Design Standards".
- 8.1.16 DEAD-END STREETS are not permitted.
- 8.1.17 Residential SINGLE ACCESS STREETS other than DEAD-END STREETS, whether temporary or permanent, shall not be longer than 500 feet. No waiver will be granted unless the following conditions are met, in which case SINGLE ACCESS STREETS can be as long as 1500 feet:
- 8.1.17.1 Condition 1: The SUBDIVISION is an Open Space Development, a Planned Conservation Residential Community, or a Planned Unit Development as defined in the Acton Zoning Bylaw. in such case, the 500 foot SINGLE ACCESS STREET limit shall not apply to a conceptual plan drawn for the purpose of determining the maximum number of building LOTS as required in the Acton Zoning Bylaw.
- 8.1.17.2 Condition 2: An open space buffer is provided along that portion of any existing public STREET upon which the proposed SUBDIVISION had frontage as of February 6, 1990. The open space buffer shall have a minimum depth of 300 feet. There shall be no buildings or structures within the open space buffer.
- 8.1.18 A CUL-DE-SAC STREET turnaround shall be designed in one of the two following ways:
- 8.1.18.1 A loop turnaround which shall be offset in relation to the STREET to form a 'q' whereby the STREET intersects with itself in a 90 degree angle as shown in the drawing below.
- The centerline diameter in the loop turnaround shall be at least 100 feet.
  - The sideline diameter of the loop turnaround shall be selected to provide a constant shoulder width throughout the entire STREET, except that at the intersection the shoulder width may vary to meet other requirements of these RULES.
  - There shall be no more than two driveways or common driveways accessing the loop turnaround.
  - A loop turnaround shall feature a landscaped center island encircled by a sloped granite curb. The topography of the center island shall be convex in shape to prevent pooling of water and shall be landscaped in the following manner:
    - Within a distance of 6-8 feet from the edge of the curb the area should be smooth, loamed to a depth of six inches, and planted with perennial turf grasses.
    - The balance of the island shall have a highly varied topography and shall be planted with nursery grown stock, planted in accordance with the standard

planting detail sheets in the appendix, and shall include a mixture of tall-growing deciduous shade trees and smaller deciduous ornamental trees. The ground surface of this area shall be planted with turf grass, meadow grass mix or hardy, non-invasive, low-maintenance ground cover. (Refer to appendix for planting details, required spacing, minimum caliper size of trees and for suggested plant species.)

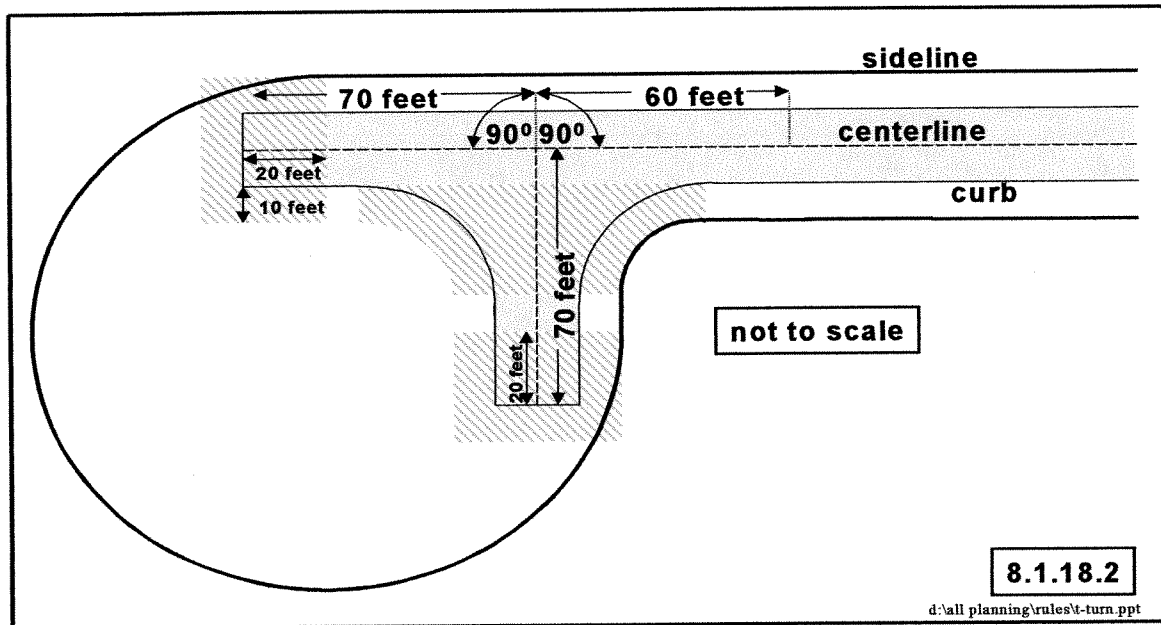
- e) The STREET approaching the loop turnaround shall be a minimum distance of 125 feet measured from the centerline of the intersecting STREET to the centerline of the loop turnaround STREET where it intersects with itself at a 90 degree angle as shown in the drawing below.<sup>6</sup>



8.1.18.2 Using the same layout as in 8.1.18.1, a T-shaped turnaround as shown in the drawing below.

- a) One leg of the turnaround shall be located to the left of the STREET and positioned perpendicular to the other leg and to the STREET approaching the turnaround.
- b) Pavement of the turnaround legs shall be of the same width as in the remainder of the CUL-DE-SAC STREET.
- c) The turnaround legs shall be straight, and shall be 70 feet long measured along the centerline from the intersection of the legs to the end of pavement.
- d) The STREET approaching the T-shaped turnaround shall be a minimum distance of 125 feet measured from the centerline of the intersecting STREET to the centerline of the turnaround legs intersection as shown in the drawing below.
- e) The STREET approaching the turnaround shall be straight for a minimum distance of 60 feet.
- ef) There shall be no driveways or common driveways off the ends of the turnaround legs, within 20 feet from the end of pavement, or in the intersection roundings. These driveway-restricted areas shall extend for a depth of 10 feet off the pavement edge.

fg) A "No Parking" restriction shall be posted in the turnaround.



8.1.19 There shall be no more than 40 residential dwelling units on a SINGLE ACCESS STREET or series of STREETS having only one terminus onto a THROUGH STREET. To construct more than 40 dwelling units a secondary means of access, adequate in the opinion of the BOARD, shall be provided.

8.1.19.1 Where a proposed residential SUBDIVISION will increase any number of existing dwelling units on an existing SINGLE ACCESS STREET to more than 40, the BOARD may require alternate means of access to a THROUGH STREET or improvements on the existing SINGLE ACCESS STREET or within the adjacent STREET network, in order to ensure adequate safety and access to all dwellings in the proposed SUBDIVISION.

8.1.20 In non-residential SUBDIVISIONS, there shall be no more than 250,000 square feet of floor area on a SINGLE ACCESS STREET or series of STREETS having only one terminus onto a THROUGH STREET. To construct more than 250,000 square feet of floor space, a secondary means of access, adequate in the opinion of the BOARD, shall be provided.

8.1.20.1 Where a proposed non-residential SUBDIVISION will increase any number of existing square feet of floor area on a SINGLE ACCESS STREET to more than 250,000 square feet, the BOARD may require alternate means of access to a THROUGH STREET or improvements on the existing SINGLE ACCESS STREET or within the adjacent STREET network, in order to ensure adequate safety and access to all buildings in the proposed SUBDIVISION. In determining the floor area to be built in a non-residential SUBDIVISION, the maximum potential build-out shall be assumed.

## **8.7 EASEMENTS**

8.7.1 EASEMENTS for utilities across LOTS or along rear or side LOT lines shall be provided where necessary, and shall be at least 20 feet wide.

8.7.2 EASEMENTS for drainage across LOTS, usually along rear or side LOT lines, shall be provided where necessary and shall be at least 20 feet wide. Such EASEMENTS shall be of an adequate width to provide for the construction of such drainage and for the proper maintenance thereof.

~~8.7.3 Where a SUBDIVISION is traversed by a water course, drainage course, channel or stream, a storm water EASEMENT or drainage right of way shall be provided of adequate width to conform substantially to the lines of such water course, drainage course, channel or stream, and to provide for construction and repair. In the absence of engineering evidence of the extent of the drainage course, an EASEMENT shall be required consisting of 30 feet from either side of the center line of any major stream (Fort Pond Brook and Nashoba Brook) and 15 feet from either side of the center line of a minor stream.<sup>7</sup>~~

8.7.43 In order to secure adequate provision for water, sewerage, drainage and other requirements where necessary in the SUBDIVISION, all water courses, drainage courses, channels, streams and other water bodies shall not be obstructed and remain free of debris.

8.7.54 All lines of all EASEMENTS shall be calculated and described on the SUBDIVISION plan with a bearing and distance.

8.7.65 A 10 foot wide "Utility, Construction and Slope Easement" shall be provided along each side of the STREET, including along each side of any STREET projections to adjoining land.

## **8.8 OPEN SPACES**

Before approval of a SUBDIVISION plan the BOARD may in proper case require the plan to show a park or parks suitably located for playground or recreation purposes and for providing light and air. The park or parks shall not be unreasonable in area in relation to the area of land being subdivided and to the prospective uses of such land. in general such areas should include at least 500 square feet per family of dry, level, accessible land for active recreation. The BOARD shall, by appropriate endorsement on the plan, require that no building may be erected on such park or parks without its approval for a period of not more than three years. (Chapter 41, Section 81-U of the General Laws and any acts in amendment thereof, in addition thereto or in substitution therefor.)

TABLE I		
HORIZONTAL DESIGN STANDARDS		
DESIGN SPEED	less than 25 mph	less than 30 mph
STREET CLASSIFICATION	LOCAL STREET	COLLECTOR STREET
MINIMUM CENTERLINE RADIUS	110 feet (80 feet**)	175 feet
SUPERELEVATION	<del>remove adverse crown super-elevate at normal crown slope for centerline radii below 1,450 feet and central angle &gt;30°</del>	<del>remove adverse crown super-elevate at normal crown slope for centerline radii below 2,850 feet and central angle &gt;25°</del>
MINIMUM TANGENT between REVERSE CURVES	50 feet if radius is less than 1,450 feet	100 feet if radius is less than 2,850 feet
WIDTH of RIGHT-OF-WAY	40**-50 feet	50 feet
PAVEMENT WIDTH	20**-24 feet	24-26 feet
* The BOARD may require a larger radius if necessitated by terrain or roadway configuration.		
** For low intensity LOCAL STREETS (see footnote under Table II).		

TABLE II		
VERTICAL DESIGN STANDARDS		
DESIGN SPEED	less than 25 mph	less than 30 mph
STREET CLASSIFICATION	LOCAL STREET	COLLECTOR STREET
MINIMUM GRADE	1%	1%
MAXIMUM GRADE	8% (10%*)	8%
CREST VERTICAL CURVE**	K = 28 (15*)	K = 55
SAG VERTICAL CURVE**	K = 35 (20*)	K = 55
TRANSITION AREAS - MAXIMUM GRADE within 50 FEET of an INTERSECTION:		
INTERSECTING STREET	2%	2%
MAIN STREET	6%	5%
* for low intensity LOCAL STREETS, typical residential SINGLE ACCESS STREETS as permitted in these RULES, and any other LOCAL STREETS where anticipated future traffic does not exceed an average daily traffic volume of 250 vehicles per day (vpd)		
** rounded K (minimum) = <u>length of vertical curve in feet</u> algebraic difference in grades %		

## 9.2 UTILITIES

- 9.2.1 Drain pipes, sewer pipes (if applicable) and related equipment, such as manholes and catch basins, shall be constructed in conformity with specifications of the "Standard Specifications for Highways and Bridges", ~~Department of Public Works, Commonwealth of Massachusetts, 1988~~1995, as amended.
- 9.2.2 Adequate disposal of surface water shall be provided. Catch basins and drain manholes shall be built in conformance with the "Standard Specifications for Highways and Bridges", ~~Mass. Highway Dept. Commonwealth of Massachusetts~~, on both sides of the roadway on continuous grades at intervals of not more than four hundred (400) feet, at low points and sags in the roadway and near the corners of the roadway at intersecting STREETS as necessary.
- 9.2.3 Sub-drains, constructed as shown in the ~~Mass. Highway Dept. Commonwealth of Massachusetts~~ Construction Standards, shall be installed at the edge of the area to be paved when deemed necessary by the BOARD.
- 9.2.4 Open drainage trenches may be used 100 feet or more from the traveled STREET or WAY only in cases of extreme hardship owing to conditions especially affecting the parcel and under the following conditions:
- 9.2.4.1 Depth shall not be more than four (4) feet below adjacent areas;
  - 9.2.4.2 Sides of trench shall not be steeper than one (1) foot of rise per two (2) feet of horizontal distance;
  - 9.2.4.3 Twenty (20) foot wide calculated EASEMENTS shall be provided with the main channel of flow centered on this EASEMENT.
- 9.2.5 Water pipes and related equipment, such as hydrants and main shut-off valves, shall be constructed to serve all LOTS on each STREET in the SUBDIVISION in conformity with specifications of the Acton Water District (or its successor). Hydrants shall be provided and placed at intervals of not more than 500 feet along each STREET and painted with luminous paint as specified by the Acton Fire Chief. All locations must be shown on the definitive plan and must be approved by the Fire Chief.
- 9.2.6 Water mains within SUBDIVISION limits shall be eight (8) inches in diameter or larger, except as otherwise permitted by the Acton Water District.
- 9.2.7 Sanitary sewers and related equipment if and when required shall be constructed to serve all LOTS on each STREET in the SUBDIVISION in accordance with the Master Sewer Plan and the specifications of the Town of Acton and the Board of Health.
- 9.2.8 Fire call boxes, as well as required connecting lines, shall be constructed to serve the SUBDIVISION in conformity with the specifications of the Fire Department of the Town of Acton. All box locations must be shown on the definitive plan and must be as approved by the Fire Chief.
- 9.2.9 MGL Oh. 82, S.40 as amended, requires that contractors notify public utility companies, in writing, at least 72 hours before digging or excavating on public or private property. One phone call to the Massachusetts Public Utilities Underground Plant Damage Pre



STREETS a turn shall be possible without obstructing oncoming traffic. Generally, curb radii in residential LOCAL STREETS shall not be larger than necessary to accommodate SU-30 vehicles in order to avoid excess pavement and excess crossing distances for pedestrians. In non-residential LOCAL STREETS and in COLLECTOR or ARTERIAL STREETS, where regular large truck (WB-50 design vehicle) traffic can be expected, the BOARD may require curb radii to accommodate WB-50 vehicles. In intersections and turnarounds, curb radii may be dimensioned independently from any required sideline radii.

## 9.6 SIDEWALKS, PEDESTRIAN WAYS, CROSS WALKS and BICYCLE PATHS

- 9.6.1 To provide for safe pedestrian travel, sidewalks shall be required in all SUBDIVISIONS in accordance with the following schedule:

LOCAL STREET	Sidewalk required on one side of traveled STREET only.
COLLECTOR STREET	Sidewalk required on both sides of traveled STREET.
ARTERIAL STREET	Sidewalks required on both sides of traveled STREET.

- 9.6.2 A sidewalk shall be required along that portion of any existing public STREET upon which the SUBDIVISION has frontage.

- 9.6.3 In general, sidewalks shall be constructed within the STREET layout ~~at a line that is one (1) foot away from the sideline of the STREET layout.~~ The sidewalks shall be a minimum of five (5) feet in width and constructed in accordance with the requirements of the Massachusetts Architectural Access Board, the typical structural cross section (see Appendix) and with Sections 701.20, 701.40, 701.60, 701.62 of the Mass. Highway Department Commonwealth of Massachusetts "Standard Specifications for Highways and Bridges", unless the BOARD authorizes different design to respond to local topography or other circumstances. Sidewalks should be designed around public shade trees and may meander around streetside utilities and equipment such as hydrants, mailboxes, utility poles, etc., if necessary. On ARTERIAL and COLLECTOR STREETS, where possible, a green strip shall be provided between the edge of pavement and the sidewalk to separate pedestrians from vehicular traffic.

- ~~9.6.4 A green strip shall be provided between the edge of the pavement and the sidewalk. The green strip may vary in width but shall generally be not less than five (5) feet wide (4 feet in low intensity LOCAL STREETS). The Green Strip shall consist of six (6) inches of bank run gravel (or equivalent) covered with three (3) inches of processed grading gravel. The gravel base shall be covered with six (6) inches compacted depth of good quality loam and shall be seeded with turf grass seed or sodded and planted with STREET trees where appropriate in the opinion of the BOARD.<sup>8</sup>~~

- 9.6.54 Sidewalks, Walk WAYS and bicycle PATHS shall consist of six (6) inches of bank run gravel (or equivalent) covered with three (3) inches of processed grading gravel. The gravel base shall be covered with a wearing surface of 2.5 inches of Class I, Type I, bituminous concrete applied in two courses.

- 9.6.65 Walk WAYS and bicycle PATHS shall be required where appropriate to improve circulation and connections with existing, proposed and potential future STREETS and WAYS.

- 9.6.76 Bicycle PATHS shall be constructed to a minimum width often (10) feet.

- 9.6.87 Handicapped ramps shall be installed at all cross walks and driveways in accordance with the requirements of the Massachusetts Architectural Access Board. In the location of crosswalks or bicycle PATH crossings the BOARD may require a reduction in the standard pavement width in order to shorten the crossing distance, and a raised pavement to reduce vehicle speed.

## **9.7 STREET SIGNS**

- 9.7.1 STREET signs shall be erected at all intersections. These signs shall be of the same type now existing in the town and shall meet the specifications of the Acton Highway Department. They shall be erected prior to the construction of the first house on the STREET.
- 9.7.2 From the time of rough grading until such time as each STREET is accepted by the Town as a public STREET, the sign posts at the intersection of such STREET with any other STREET shall have affixed thereto a sign designating such STREET as a private STREET.
- 9.7.3 STREET sign posts shall be seated in concrete.

## **9.8 TREES and OTHER VEGETATION**

- 9.8.1 Deciduous shade STREET trees shall be planted on LOTS approximately 10 feet from the STREET sideline where trees are lacking. Species and locations are to be determined by the Acton Tree Warden. Trees shall be planted at not more than 50 foot intervals.
- 9.8.2 Trees shall be a minimum of ten (10) feet in height, with a caliper size of two (2) inches and shall be nursery grown stock.
- 9.8.3 All cut and fill slopes within or contiguous to the STREET right-of-way shall be planted with suitable, well-rooted, low growing plant materials as determined by the BOARD. Wood chips, mulch, seeding or sodding shall be used to eliminate erosion. The BOARD may require alternative measures for slopes equal to or greater than 3:1.
- 9.8.4 All cleared areas of the STREET right-of-way, not to be planted with ground cover, and all disturbed area within public EASEMENTS, shall be loamed with not less than six (6) inches compacted depth of good quality loam and seeded with turf grass seed in accordance with good planting practice, including application of lime and fertilizer. Such areas shall be raked smoothly to allow mowing without equipment damage.

## **9.9 EXISTING ADJACENT STREETS and WAYS**

- In order to ensure vehicular and pedestrian safety the BOARD will consider the adequacy of STREETS and WAYS adjacent to or providing access to a proposed SUBDIVISION. It is the BOARD'S intent that a proposed SUBDIVISION not overly strain the capacity of existing or planned STREETS and WAYS so as to result in traffic congestion and safety problems.
- 9.9.1 When, in the opinion of the BOARD, a SUBDIVISION is deemed to have a detrimental effect on existing or proposed STREETS, WAYS and intersections or where a SUBDIVISION borders on an existing but inadequately constructed STREET or WAY, the BOARD may require appropriate and reasonable improvements in STREETS and WAYS bordering or providing access to the SUBDIVISION to minimize congestion and to insure safe and adequate vehicular and pedestrian travel in a coordinated system of STREETS and WAYS.

## SECTION 10

### OPTIONAL RESIDENTIAL COMPOUND PLAN

- 10.1 The purpose of this rule is to permit small-scale residential SUBDIVISIONS (hereinafter called a Residential Compound) in a manner which minimizes Town maintenance responsibility and cost, while simultaneously preserving the rural character of the Town.
- 10.1.1 The BOARD may waive compliance with some or all of the design and improvement requirements of Section 8 and 9, where such action is in the public interest and not inconsistent with the intent and purposes of the SUBDIVISION CONTROL LAW and where the following conditions are met:
- 10.1.1.1 A ~~residential~~ Residential compound Compound shall contain not more than five (5) LOTS which may only be used for single family dwellings and associated and accessory uses and structures as permitted under the Acton Zoning Bylaw.
- 10.1.1.2 All dimensional requirements applicable to the zoning district in which the land is located shall be complied with.
- 10.1.1.3 Each building LOT shall have the frontage required by the zoning bylaw on a public STREET, or on a private STREET within the Residential Compound which provides all present and future owners of LOTS within the Residential Compound adequate and legally enforceable rights of access to a public STREET.
- 10.1.1.4 ~~Any land within the Residential Compound, not designated as a building LOT or private STREET shall be dedicated as permanent open space. Such land may only be used for conservation, outdoor recreational facilities of a noncommercial nature, agriculture, preservation of scenic or historic sites or structures, and structures accessory to any of the above uses.~~An operations and maintenance plan shall be submitted for the drainage system. Drainage systems shall be minimal maintenance and where appropriate, a Low Impact Development (LID) low maintenance design, stamped and certified by a registered engineer that it complies with LID strategies, that includes some redundancy and extra capacity, is simple to design, and functions in the winter months.
- 10.1.1.5 Assurances through deed restrictions or otherwise shall be given that the Town will not be requested to accept or maintain the private STREETS, drainage systems, open space, or any other improvements within the Residential Compound for which design or improvement requirements contained in Section 8 and 9 of these RULES have been waived, and that the land within the Residential Compound shall only be used for the purposes set forth in the developer's proposed Definitive Plan.
- 10.1.1.6 The approved Definitive SUBDIVISION Plan of a Residential Compound shall contain conditions that:
- a) there shall be no further division of the tract or LOTS contained therein;
  - b) development of the land is permitted only in accordance with the land uses indicated thereon;

- c) the covenants of the developer regarding ownership, maintenance and utilization of ~~common property, including, but not limited to, STREETS, easements, and drainage systems and open space,~~ continue to be complied with.

10.1.1.7 The covenants or other written assurances regarding ownership, operation, maintenance, and utilization of common property~~the STREET, easements, and drainage systems,~~ as required by the BOARD, shall be recorded prior to or simultaneously with the recording of the approved Definitive Plan.

10.1.2 Every application for a Residential Compound shall contain a proof plan at the same scale as the proposed Residential Compound plan that demonstrates that a STREET and LOTS can be designed in compliance with the requirements of Section 8 and 9 of these RULES, the dimensional requirements applicable to the zoning district in which the land is located, and other applicable laws.

10.1.23 As a general rule, the design and construction standards set forth in the Rules and Regulations for Common Driveway Special Permits, as amended, shall be applied to Residential Compounds.

10.1.4 Two copies plus one original mylar of an as-built plan shall be submitted at the conclusion of construction. The as-built plan shall be drawn at a legible scale (1 inch = 20', 40' or 50'); certified by a registered professional engineer and a land surveyor; and show pavement, drainage, utilities, and any other items to demonstrate the SUBDIVISION was built according to the approved plan.<sup>9</sup>

used to establish the bound locations, all with bearings, distances or coordinate values sufficient to re-establish these points.

- c) All elevations shall refer to the National Geodetic Vertical Datum (NGVD) of 1929.

- 11.7.1.2 The plan shall be accompanied by a letter from the registered engineer certifying that all work, as required by the RULES and the approved SUBDIVISION plan, has been completed.
- 11.7.1.3 A certificate by a registered land surveyor indicating that all permanent monuments are in place and are accurately located, including evidence that the bound traverse had a ratio "error of closure" of 1:15,000 or better. Use Form CB-Certification of Bounds. (see Appendix)
- 11.7.1.4 Two typewritten copies of a legal description by metes and bounds of each ROAD and EASEMENT considered for acceptance by the Town, and a copy of said document on an electronic medium and in a format as directed by the Town Planner.
- 11.7.1.5 Two copies of the proposed deed conveying the fee in the STREET plus the associated EASEMENTS to the Town, and legal evidence that the fee in the STREET has not been inadvertently conveyed to abutting LOT owners.
- 11.7.1.6 Two typewritten copies of the proposed article for the Town Meeting generally describing the location and length of the ROAD or STREET to be considered for acceptance by the Town.
- 11.7.1.7 Written certification by the Acton Water District that the water supply system has been approved by the Acton Water District.
- 11.7.1.8 Written certification by the Acton Fire Department that the fire alarm system and fire hydrants have been approved by the Fire Department.
- 11.7.1.9 ~~Written approval by the Acton Tree Warden of the required tree plantings~~The plan shall be accompanied by a letter from the registered landscape architect certifying that installation of STREET trees and plantings, as required by the RULES and the approved SUBDIVISION plan, has been completed.
- 11.7.1.10 Written certification by the Acton Engineering Department that the binder course was exposed to one winter season (Nov. 15 - April 30) prior to the application of the wearing course, and that all SUBDIVISION improvements have been exposed to one winter season (Nov. 15 - April 30) without substantial damage, or that damage, if incurred, has been repaired to the satisfaction of the Acton Engineering Department.
- 11.7.1.11 Certificate of Compliance with conditions imposed on the parcel(s) contained within the SUBDIVISION by the Conservation Commission under MGL Ch. 131, S.40 and the Acton Wetlands Protection Bylaw, as applicable.
- 11.7.1.12 Copy of recorded deed(s) and other instruments for any Common Land or public open space, park or other such parcels contained within the SUBDIVISION.

## **Appendix A**

FORM ANR -	Application for Endorsement of Plan Believed Not to Require Approval
FORM PP -	Application for Approval of Preliminary Plan
FORM DP -	Application for Approval of Definitive Plan
FORM DIR -	Development Impact Report
<del>FORM CLA -</del>	<del>Certified List of PARTIES IN INTEREST<sup>10</sup></del>
<del>FORM DP-LN -</del>	<del>Legal Notice</del>
FORM DC -	Designer's Certificate
FORM CB -	Certification of Bounds
FORM RC -	Restrictive Covenant
FORM IB -	Insurance Bond
FORM LR-PS -	Release of Lots — Provision of Surety
FORM LR-CP -	Release of Lots — Certificate of Performance

## DEVELOPMENT IMPACT REPORT

Please type or print information in blanks below.

1. Name of Proposed Subdivision \_\_\_\_\_
2. Location \_\_\_\_\_
3. Name of Applicant(s) \_\_\_\_\_
4. Brief Description of the Proposed Project \_\_\_\_\_  
\_\_\_\_\_
5. Name of Individual Preparing this DIR \_\_\_\_\_  
Address \_\_\_\_\_ Business Phone \_\_\_\_\_  
\_\_\_\_\_
6. Professional Credentials \_\_\_\_\_  
\_\_\_\_\_

### A. Site Description

7. Present permitted and actual land uses by percentage of the site.

<i><b>Uses</b></i>	<i><b>Percentage</b></i>
Industrial	
Commercial	
Residential	
Forest	
Agricultural	
Other (specify)	

8. Total acreage on the site: \_\_\_\_\_ acres.

<b>Approximate Acreage</b>	<b>At Present</b>	<b>After Completion</b>
Meadow or Brushland (non agriculture)		
Forested		
Agricultural (includes orchards, cropland, pasture)		
Wetland		
Water Surface Area		
Flood Plain		
Unvegetated (rock, earth, or fill)		
Roads, buildings and other impervious surfaces		
Other (indicate type)		

9. List the zoning districts in which the site is located and indicate the percentage of the site in each district. *Note: be sure to include overlay zoning districts.*

<i><b>District</b></i>	<i><b>Percentage</b></i>

10. Predominant soil type(s) on the site: \_\_\_\_\_

Soil drainage (Use the US Soil Conservation Service's definition)

<i><b>Soil Type</b></i>	<i><b>% of the Site</b></i>
Well drained	
Moderately well drained	
Poorly drained	

11. Are there bedrock outcroppings on the site? \_\_\_\_yes \_\_\_\_no

12. Approximate percentage of proposed site with slopes between:

<i><b>Slope</b></i>	<i><b>% of the Site</b></i>
0 - 10%	
10 - 15%	
greater than 15%	

13. In which of the Groundwater Protection Districts in the site located? How close is the site to a public well?

Zone(s) \_\_\_\_\_ Proximity to a public well: \_\_\_\_\_ feet

14. Does the project site contain any species of plant or animal life that is identified as rare or endangered? (Consult with the Massachusetts National Heritage Program and the Acton Natural Resources Director).

\_\_\_\_yes \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

15. Are there any unusual or unique features on the site such as trees larger than 30 inches D.B.H., bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formation or granite bridges?

\_\_\_\_yes \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_



16. Are there any established foot paths running through the site or railroad right of ways?

\_\_\_\_yes      \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

17. Is the site presently used by the community or neighborhood as an open space or recreation area?      \_\_\_\_yes      \_\_\_\_no

Is the site adjacent to conservation land or a recreation area?      \_\_\_\_yes      \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

18. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view?      \_\_\_\_yes      \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

19. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site?

\_\_\_\_yes      \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

20. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws?      \_\_\_\_yes      \_\_\_\_no

If yes, specify: \_\_\_\_\_  
\_\_\_\_\_

21. Has the site ever been used for the disposal of hazardous waste? Has a 21E Study been conducted for the site?      \_\_\_\_yes      \_\_\_\_no

If yes, specify results: \_\_\_\_\_  
\_\_\_\_\_

22. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste?      \_\_\_\_yes      \_\_\_\_no

If yes, specify \_\_\_\_\_  
\_\_\_\_\_

23. Does the project contain any buildings or sites of historic or archaeological significance? (Consult with the Acton Historic Commission or the Action Historical Society.)

\_\_\_\_yes      \_\_\_\_no

If yes, please describe \_\_\_\_\_

24. Is the project contiguous to or does it contain a building in a local historic district or national register district?

\_\_\_yes \_\_\_ no

25. Is the project contiguous to any section of the Isaac Davis Trail?

\_\_\_yes \_\_\_ no

If yes, please describe \_\_\_\_\_

### **B. Circulation System**

26. What is the average weekday traffic and peak hour traffic volumes generated by the proposed subdivision?

Average weekday traffic	
Average peak hour volumes morning	
Average peak hour volumes evening	

27. Existing street(s) providing access to proposed subdivision:

Name \_\_\_\_\_ Town Classification \_\_\_\_\_

28. Existing intersection(s): list intersections located within 1000 feet of any access to the proposed development:

Name of ways \_\_\_\_\_

29. Location of existing sidewalks within 1000 feet of the proposed site? \_\_\_\_\_

30. Location of proposed sidewalks and their connection to existing sidewalks:

\_\_\_\_\_  
\_\_\_\_\_

31. Are there parcels of undeveloped land adjacent to the proposed site? \_\_\_yes \_\_\_ no

Will access to these undeveloped parcels be provided within the proposed site?

\_\_\_yes \_\_\_ no

If yes, please describe \_\_\_\_\_

If no, please explain why \_\_\_\_\_

### **C. Utilities and Municipal Services**

32. If dwelling units are to be constructed, what is the total number of bedrooms proposed?

\_\_\_\_\_

33. If the proposed use of the site is nonresidential, what will the site be specifically used for and how many feet of Gross floor area will be constructed? \_\_\_\_\_

34. How will sewage be handled?

3435. Storm Drainage

- a. Describe nature, location and surface water body receiving current surface water of the site:  
\_\_\_\_\_  
\_\_\_\_\_
- b. Describe the proposed storm drainage system and how it will be altered by the proposed development: \_\_\_\_\_  
\_\_\_\_\_
- c. Will a NPDS Permit be required?      \_\_\_yes      \_\_\_ no

3536. In the event of fire, estimate the response time of the fire department (consult with Fire Dept.)

3637. Schools (if residential)

- a. Projected number of new school age children: \_\_\_\_\_
- b. Distance to nearest school: \_\_\_\_\_

**E. Measures to Mitigate Impacts**

Attach brief descriptions of the measures that will be taken to:

3738. Prevent surface water contamination.
3839. Prevent groundwater contamination.
3940. Maximize groundwater recharge.
4041. Prevent erosion and sedimentation.
4142. Maintain slope stability.
4243. Design the project to conserve energy.
4344. Preserve wildlife habitat.
4445. Preserve wetlands.
4546. Ensure compatibility with the surrounding land uses.
4647. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment rate of runoff for the 10-year storm event..
4748. Preserve historically significant structure sand features on the site.
4849. To mitigate the impact of the traffic generated by the development.

Please use layman's terms where possible while still being accurate and comprehensive. Where appropriate, graphics shall be used. List sources of data, reference materials, and methodology used to determine all conclusions. Use additional sheets as necessary.

## Summary of Some of the Proposed Amendments

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### <sup>1</sup> Form DP-LN – Legal Notice

The Planning Department drafts and sends the legal advertisement to the newspaper.

### <sup>2</sup> Section 5.3.4

The main purpose of this amendment is to give the applicant a “heads up” that another public hearing is required if the project involves removing a public shade tree.

### <sup>3</sup> Section 5.3.25

The Engineering Department needs this information to determine whether all proposed infiltration basins, trenches, etc. would comply with town and state regulations and function properly.

### <sup>4</sup> Section 6.4.1.5

The Tree Warden requested that a certified landscape architect stamp the plan and certify that all plantings have been done according to the plan. It puts the cost on the developer and the responsibility on the professional. A final sign off by the Tree Warden would still be required.

### <sup>5</sup> Section 8.1.13

This requirement was originally included in the Rules to assist with vehicle handling around curves. The Engineering Department suggests that this requirement be removed from the Rules because it tends to lead to higher traffic speeds, and drainage problems in bad soil, shade, and steep slopes areas. Staff believes the benefits of superelevation on a subdivision road do not outweigh the related construction and traffic problems.

### <sup>6</sup> Section 8.1.18.1.e) and Section 8.1.18.2.d)

Planning staff added this standard for cul-de-sac loop turnarounds and T-shaped turnarounds to ensure that no one proposes just a turnaround with hardly any street straightaway and tries to argue it's a street according to the Rules (for frontage purposes). The turnaround diagrams on pages 31 and 32 of the Rules would be changed accordingly.

### <sup>7</sup> Section 8.7.3

Other subsections of the Rules require utility and drainage easements (where applicable) across lots; require utility, construction, and slope easements along the sides of streets; and prohibit the obstruction of all water courses, drainage courses, channels, streams, and other water bodies. Furthermore, the State Rivers Act and the State and local wetlands bylaws have jurisdiction over what can and cannot occur near water bodies. For these reasons, section 8.7.3 is unnecessary and should be removed.

### <sup>8</sup> Section 9.6.3 and Section 9.6.4

As requested by the Planning Board, staff removed the requirement that the sidewalk be constructed one foot away from the edge of the road layout. Planning Board members discussed removing the green strip requirement on new subdivision streets because often the strip is not maintained and turns into weeds and dirt. When the frontage of a new subdivision is along an older, narrower road, usually there isn't even much room to construct the pavement of a new sidewalk, never mind a grass strip. Sidewalks without grass strips would have more vertical curbing. On the other hand, sometimes sidewalks need to weave to avoid important natural and manmade features, thereby creating a grass strip. Also, with heavily traveled roads (collector and arterial roads), sometimes a strip is preferred to separate the pedestrians from the vehicles. For these reasons, staff still kept in the Rules some flexibility to weave the sidewalk when necessary and a requirement to provide a grass strip on arterial and collector roads wherever possible. The Typical Roadway Section in Appendix B of the Rules will be changed accordingly.

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**<sup>9</sup> Section 10**

Since it has become standard practice for the Board to require a “proof plan” and a private way and maintenance agreement, they have now been included as a submittal requirement in the Rules. We have never seen a Residential Compound have enough remaining land to set aside open space, so staff deleted the remaining land open space requirement. Staff felt it was necessary for the applicant to develop an operations and maintenance plan for drainage since the Town will not be maintaining the drainage system. Based on Board comments, staff has also included the following requirements: (1) land from another Town cannot be used to comply with zoning requirements on the proof plan, and (2) low impact development (LID) is expected where applicable. The Engineering Department asked that an as-built plan be submitted as is required for all subdivision plans.

**<sup>10</sup> Form CLA – Certified List of Parties in Interest**

Applicants must still submit a Certified List of Parties in Interest, but they do not need to bring this form to the Assessor’s office. The Assessor’s office uses their own forms.